IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

7:09-CR-1-2H 7:16-CV-137-H

BRUCE WAYNE MILLER,
)
Petitioner,
)
v.
)
ORDER

UNITED STATES OF AMERICA,)

Respondent.)

This matter is before the court on petitioner's motion for reconsideration pursuant to Fed. R. Civ. P. 59(e), [DE #202], asking this court to reconsider its order and judgment, [DE #182 and #183], dismissing petitioner's motion to vacate pursuant to 28 U.S.C. § 2255.

This motion was filed untimely pursuant to Fed. R. Civ. P. 59(e). It was also filed subsequent to petitioner's filing of a notice of appeal, [DE #191], and the Fourth Circuit Court of Appeals dismissed the appeal. [DE #207].

Therefore, this motion is DENIED AS MOOT.

This 1st day of May 2020.

MALCOLM J. HOWARD

Senior United States District Judge

At Greenville, NC #35